

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:11CR180
)	
vs.)	ORDER
)	
BILLY J. NESIBA and)	
CAROL NESIBA,)	
)	
Defendants.)	

This matter is before the court on the oral motions of defendants Billy J. Nesiba and Carol Nesiba for an extension of the pretrial motion deadline. The motions were made during the arraignments on the Indictment on June 22, 2011. The government had no objection to the motions. Both defendants acknowledged the additional time needed for their motions would be excluded under the calculations under the Speedy Trial Act. The oral motions were granted.

IT IS ORDERED:

1. The motions for an extension of time to file pretrial motions is granted. Both defendants shall have **to on or before August 19, 2011**, in which to file pretrial motions in accordance with the progression order.

2. The ends of justice have been served by granting such motions and outweigh the interests of the public and the defendants in a speedy trial. The additional time arising as a result of the granting of the motions, i.e., **from June 22, 2011, and August 19, 2011**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendants' counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 22nd day of June, 2011.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge